Message

From: Brooks.Phillip@epa.gov [Brooks.Phillip@epa.gov]
Sent: 6/12/2019 4:46:29 PM
To: Dykes, Teresa [Dykes.Teresa@epa.gov]
CC: Chapman, Apple [Chapman.Apple@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]
Subject: Re: Signed Memo: OIAI provisions in Existing NESHAP subparts

Until they are finalizing a rule we should not be issuing no action assurance.

Sent from my iPhone

On Jun 12, 2019, at 12:00 PM, Dykes, Teresa <Dykes.Teresa@epa.gov> wrote:

> FYI- MM2A issues (old OIAI). This is a memo that OAR is issuing to address the situations where a state has re-classified a source to area source status based on the Wehrum memo and the source's synthetic PTE of the HAPs being less than the 10/25 tpy threshold, but the applicable subpart has specific OIAI such that the state does not have the authority to reclassify the source until the regulatory language in the subpart is changed. OAQPS knows of at least 5 sources where this has happened.
>
> OAQPS may ask for enforcement shields for these facilities until the MM2A rule is finalized (the proposed rule includes regulatory changes to the subparts that have specific OIAI language).
>
> In the workgroup meeting that we had last week, I said that enforcement prefers to have these issues worked out on the program side of the house, and that while enforcement bridges can be used, we prefer to use them sparingly.
>
> Terri Dykes
> Senior Attorney
> Office of Enforcement and Compliance Assurance
> 1200 Pennsylvania Ave. NW
> Washington, DC 20460
> 202.564.9883
>
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>
> **From:** Torres, Elineth
> **Sent:** Wednesday, June 12, 2019 9:00 AM
> **To:** Jordan, Scott <Jordan.Scott@epa.gov>; Dykes, Teresa <Dykes.Teresa@epa.gov>; Ayres, Sara <Ayres.Sara@epa.gov>; Krallman, John <krallman.john@epa.gov>; Castro, Grecia <Castro.Grecia@epa.gov>
> **Cc:** Truesdell, Raymond <truesdell.raymond@epa.gov>; Lamason, Bill <Lamason.Bill@epa.gov>
> **Subject:** FW: Signed Memo: OIAI provisions in Existing NESHAP subparts
>
> All,
>
> Attached is the signed memo that will be sent to the Regional Air Directors. I am calling Beth Valenciano today, ahead of Penny sending the memo out, to notify her of the memo and the source in Region 5 subject to WWWW.

Once the email goes out to the Regional Air Directors I will let you know so you can share as needed.

Thank you for your help in getting the memo done.

Elineth Torres
OAQPS
919-541-4347

From: Eck, Janet
Sent: Tuesday, June 11, 2019 4:27 PM
To: Torres, Elineth <Torres.Elineth@epa.gov>; Truesdell, Raymond <truesdell.raymond@epa.gov>; Lamason, Bill <Lamason.Bill@epa.gov>
Subject: Signed OIAI Memo

Thanks.

<OIAI Provisions In Existing NESHAP Subparts 11Jun19.pdf>